

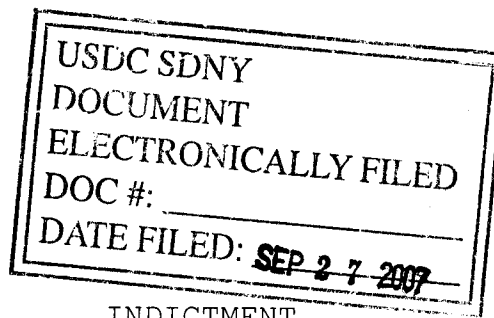
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

ANTHONY DAVIS,
a/k/a "Bal,"

Defendant.



INDICTMENT

07 Cr. 914

COUNT ONE

The Grand Jury charges:

1. From at least in or about September 1, 2006, up to and including at least in or about January 2007, in the Southern District of New York and elsewhere, ANTHONY DAVIS, a/k/a "Bal," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that ANTHONY DAVIS, a/k/a "Bal," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 50 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).

JUDGE KAPLAN

3. It was a part and an object of the conspiracy that ANTHONY DAVIS, a/k/a "Bal," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).

Overt Acts

4. In furtherance of said conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about October 4, 2006, ANTHONY DAVIS, a/k/a "Bal," the defendant, had a telephone conversation with a co-conspirator not named as a defendant herein ("CC-1") in which DAVIS ordered approximately 300 grams of crack cocaine and 100 grams of cocaine from CC-1.

b. Later that day, CC-1 delivered to a co-conspirator not named as a defendant herein ("CC-2") a bag that contained approximately 300 grams of crack cocaine and 100 grams of cocaine.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance offense alleged in Count One of this Indictment, ANTHONY DAVIS, a/k/a "Bal," the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

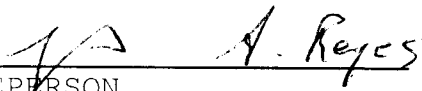
Substitute Asset Provision

6. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant --

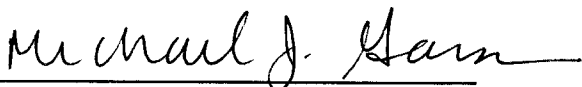
- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value;
or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C.
§ 853(p), to seek forfeiture of any other property of the
defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)



FOREPERSON



MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

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ANTHONY DAVIS,
a/k/a "Bal"

Defendant.

INDICTMENT

07 Cr. _____

(Title 21, United States Code,
Section 846)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

J. A. Reyes
Foreperson.

*Indictment filed, case assigned
to Judge Kaplan*

F. Maas, USMT

*10/1/07
RC
9/27/07*